

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

DAZHON LESLIE DARIEN,

Defendant.

CASE NO: JKB-25-020

**GOVERNMENT’S MOTION TO ADMIT EVIDENCE PURSUANT TO RULE 404(B),
AND AS INTRINSIC EVIDENCE TO THE CHARGED COUNTS**

The United States hereby files a motion for a pretrial ruling regarding the admission of evidence at trial pursuant to Rule 404(b) of the Federal Rules of Evidence.

The government seeks to introduce various prior acts by the defendant at trial, including:

1. Instances of the sexual exploitation of the minor victims referenced in Counts One through Seven of the indictment other than those specifically listed in charged counts. The details of the conduct will be provided in discovery and include additional instances of online exploitation to cause the victims to produce and send to the defendant depictions of sexually explicit conduct. The conduct also included payments to victims and initiating plans to meet in person with the victims to engage in unlawful sex acts. The conduct occurred between no later than July 2023 and July 2024.
2. Instances of the sexual exploitation of minors other than the victims referenced in Counts One through Seven of the indictment. The details of the conduct will be provided in discovery and include additional instances of online exploitation to cause the victims to produce and send to the defendant depictions of sexually explicit conduct. The conduct also included initiating plans to meet in person with the victims to engage in unlawful sex acts. The conduct occurred between no later than July 2023 and July 2024.
3. The defendant’s possession of files of child pornography other than those referenced in the indictment, including depictions of prepubescent minors engaged in sexually explicit conduct.
4. The defendant’s use of encrypted applications, including Telegram, to avoid detection by law enforcement.

The government submits that the defendant’s prior conduct listed above is admissible under Rule 404(b) as evidence of the defendant’s identity, modus operandi, intent, motive, planning, and

the absence of mistake with respect to the very similar allegations in the indictment. Furthermore, much of the evidence listed above is intrinsic to the charged offenses as the evidence arose out of the same series of events as the charged offenses, and is necessary to complete the story of the crime on trial. As such, proof of these incidents is relevant to the matters at trial.


Accordingly, the government respectfully requests that this Court grant its motion to admit Rule 404(b) evidence concerning the defendant's prior conduct of child molestation, as defined in the statute.¹

CONCLUSION

For all of the foregoing reasons, the United States respectfully requests that this Court permit the admission of this evidence at trial.

Respectfully submitted,

Kelly O. Hayes
United States Attorney

By: 
Paul E. Budlow
Assistant United States Attorney

¹ The government will submit a memorandum in support of this motion prior to trial.